

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA

LICENSURE UNIT

JUN 29 2010

RECEIVED

STATE OF NEBRASKA ex rel.,)
JON BRUNING, Attorney General,)
)
Plaintiff,)
)
vs.)
)
HANNA LEE PARK, R.N.,)
)
Defendant.)

H10-1901

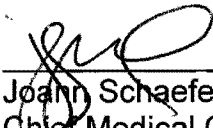
ORDER ON
AGREED SETTLEMENT

A proposed Agreed Settlement was filed with the Department on June 10, 2010.

ORDER

1. The Agreed Settlement is adopted, attached hereto and incorporated by reference.
2. The facts as set out in the petition are taken as true and adopted herein.
3. The parties shall comply with all of the terms of the Agreed Settlement.

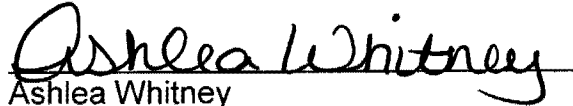
DATED this 28 day of June, 2010.



Joann Schaefer, M.D.
Chief Medical Officer
Director, Division of Public Health
Department of Health and Human Services

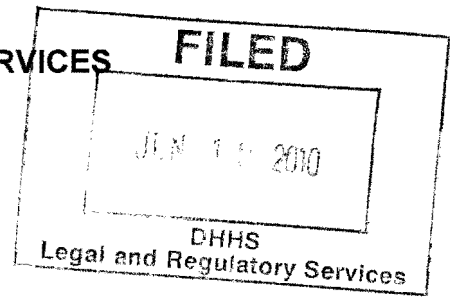
CERTIFICATE OF SERVICE

COMES NOW the undersigned and certifies that on the 29 day of June, 2010 a copy of the foregoing **ORDER ON AGREED SETTLEMENT** was sent by United States certified mail, postage prepaid, return receipt requested, to **Hanna Lee Park, 3410 Alexander Road N.E., Atlanta, GA 30326** and by interoffice mail to **Lisa K. Anderson, Assistant Attorney General, 2115 State Capitol, Lincoln, Nebraska.**



Ashlea Whitney
DHHS Legal and Regulatory Services
P.O. Box 98914
Lincoln NE 68509-8914
P. (402) 471-7237 F. (402)742-2376

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA



STATE OF NEBRASKA ex rel. JON)
BRUNING, Attorney General,)
)
Plaintiff,)
)
vs.)
)
HANNA LEE PARK, R.N.,)
)
Defendant.)

AGREED SETTLEMENT

The Plaintiff and the Defendant, Hanna Lee Park, R.N., in consideration of the mutual covenants and agreements contained herein, agree as follows:

1. The Defendant, Hanna Lee Park, R.N., was issued a registered nursing license (#68108) by the Nebraska Department of Health and Human Services Division of Public Health ("Department").
2. The Defendant acknowledges receipt of a copy of the Petition for Disciplinary Action and waives the need for further service of the Petition upon her.
3. Before disciplinary measures may be taken against the Defendant's license, the Defendant is entitled to a hearing as provided by law. The Defendant waives the right to a hearing. The Defendant also waives any right to judicial review of a disciplinary order which approves the terms of this Agreed Settlement.
4. No coercion, threats, or promises, other than those stated herein, were made to the Defendant to induce her to enter into this Agreed Settlement.
5. The Defendant acknowledges that she is also licensed to practice nursing in Iowa and Georgia.

6. The Defendant acknowledges that she has read the Petition to Revoke Probation filed by the Attorney General's Office and admits the allegations in the Petition

7. The Plaintiff and the Defendant consent to the Department's Chief Medical Officer entering a final disciplinary order which finds that the allegations of the Petition for Disciplinary Action are true, censures the Defendant's nursing license and imposes a Five Hundred Dollar (\$500) civil penalty. The civil penalty shall be payable in full within twelve (12) months from the date the Chief Medical Officer enters a disciplinary order in accordance with this Agreed Settlement. In the event the Defendant fails to pay the civil penalty in full by the stated deadline, the Chief Medical Officer may summarily suspend the Defendant's license, which suspension shall remain in effect until the civil penalty is paid in full.

8. The Attorney General's Office has given notice of this Agreed Settlement to the Board of Nursing and has received their input in accordance with Neb. Rev. Stat. § 38-190 (Reissue).

9. If this Agreed Settlement is not approved by the Chief Medical Officer, this Agreed Settlement shall become null and void and will not be admissible for any purpose at any hearing that may be held on this matter.

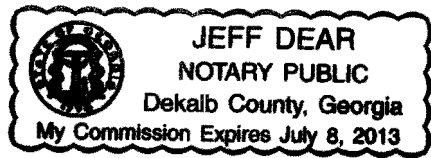
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AGREED TO:

BY: *Hanna Lee Park*
Hanna Lee Park, R.N.
Defendant

State of Georgia)
County of Dekalb) ss.

Acknowledged before me by Hanna Lee Park, R.N., on this 3 day of
June, 2010.



Jeff Dear
Notary Public
My Commission Expires: July 8, 2013

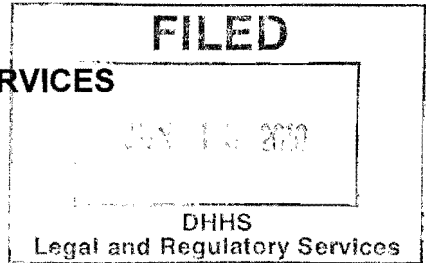
STATE OF NEBRASKA, ex rel. JON
BRUNING, Attorney General,
Plaintiff,

BY: JON BRUNING, #20351
Attorney General

BY: *Lisa K. Anderson*
Lisa K. Anderson, #21845
Assistant Attorney General
2115 State Capitol
Lincoln, NE 68509-8920
(402) 471-4593

Attorneys for the Plaintiff.

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA



STATE OF NEBRASKA ex rel. JON)
BRUNING, Attorney General,)
)
Plaintiff,)
)
v.)
)
HANNA LEE PARK, R.N.,)
)
Defendant.)

PETITION FOR
DISCIPLINARY ACTION

The Plaintiff alleges as follows:

ALLEGATIONS COMMON TO ALL CAUSES OF ACTION:

1. Jurisdiction is based on Neb. Rev. Stat. §§ 38-176 and 38-186 (Reissue 2008).
2. At all times relevant herein, the Defendant, Hanna Lee Park, R.N., has been the holder of a registered nursing license (#68108) issued by the Nebraska Department of Health and Human Services Division of Public Health ("Department").
3. The Department is the agency in the State of Nebraska authorized to enforce the provisions of the Uniform Credentialing Act regulating the practice of nursing.
4. The Nurse Licensure Compact authorizes the Department to discipline the multistate nurse licensure privilege of the Defendant to practice in the State of Nebraska in accordance with Neb. Rev. Stat. § 38-196 (Reissue 2008).
5. The Nebraska Board of Nursing considered the investigation of this matter and made a disciplinary recommendation to the Attorney General, which recommendation has been considered. Such matters are privileged pursuant to Neb. Rev. Stat. § 38-1,105 (Reissue 2008).

6. At all times relevant herein, the Defendant was employed as a nurse at UNMC in Omaha, Nebraska.

7. On June 22, 2009, the Defendant wrote a telephone order on a patient record. The Defendant documented that the order was given to her by Dr. E.J. and that she confirmed the order by reading it back to the physician.

8. Dr. E.J. denies issuing the telephone order.

9. On June 24, 2009, UNMC terminated the Defendant's employment. The Defendant failed to report her termination to the Department.

FIRST CAUSE OF ACTION

10. Paragraphs 1 through 9 are incorporated herein by reference.

11. Neb. Rev. Stat. § 38-178(23) (Reissue 2008) provides that a professional license may be disciplined for unprofessional conduct as defined in section 38-179.

12. Neb. Rev. Stat. § 38-179 (Reissue 2008) defines unprofessional conduct as "...any departure from or failure to conform to the standards of acceptable and prevailing practice of a profession or the ethics of the profession, regardless of whether a person, consumer, or entity is injured, or conduct that is likely to deceive or defraud the public or is detrimental to the public interest, including, but not limited to...(15) such other acts as may be defined in rules and regulations."

13. Title 172 NAC 101-007.03 of the Regulations Governing the Practice of Nursing defines unprofessional conduct as:

(7) Falsification or intentional unauthorized destruction of patient records;

(8) Failure to maintain an accurate patient record.

14. The Defendant's conduct set forth above in paragraph 7 constitutes unprofessional conduct and is grounds for discipline.

SECOND CAUSE OF ACTION

15. Paragraphs 1 through 14 are incorporated herein by reference.

16. Neb. Rev. Stat. § 38-178 (Reissue 2008) provides that a professional license may be disciplined for failure to file a report as required by Neb. Rev. Stat. § 38-1,124 (Reissue 2008).

17. Neb. Rev. Stat. § 38-1,125(1)(c)(ii) (Reissue 2008) requires a licensed health professional to report any loss of employment due to alleged incompetence, negligence, unethical or unprofessional conduct or physical, mental, or chemical impairment to the Department within thirty (30) days.


18. The Defendant's failure to report her UNMC termination to the Department is grounds for discipline.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff prays that the Chief Medical Officer set this matter for hearing, order appropriate disciplinary action pursuant to Neb. Rev. Stat. § 38-196 (Reissue 2008) and tax the costs of this action to the Defendant.

STATE OF NEBRASKA, ex rel. JON
BRUNING, Attorney General,
Plaintiff,

BY: JON BRUNING, #20351
Attorney General

BY: 
Lisa K. Anderson, #21845
Assistant Attorney General
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Attorneys for the Plaintiff.